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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/549,936      | 04/14/2000  | Eiji Tsuchiya        | 1341.1043/JDH       | 9110             |

21171 7590 07/12/2004

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WASHINGTON, DC 20005

| EXAMINER |
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MEINECKE DIAZ, SUSANNA M

| ART UNIT | PAPER NUMBER |
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3623

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/549,936

Applicant(s)

TSUCHIYA ET AL.

Examiner

Susanna M. Diaz

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llw

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Upon further searching, additional references deemed relevant to the claimed invention have been identified. As a result, the previous indication of allowability is hereby withdrawn and the Examiner's amendment has been unentered. Claims 1-17 are pending as they were presented in Applicant's amendment filed December 11, 2002.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglass et al. ("Understanding Ourselves and Others in the Team") in view of Gensing ("Don't Delay Start Today: Ten Surefire Ways to Conquer Procrastination").

Douglass discusses a time management approach based on the time management personalities of team members. Douglass' assessment process helps to understand individual differences in order to "[move] beyond irritations and confusion to building effective teams" (§ 1). The personality type of each individual is gauged based on each individual's respective responses to a questionnaire (§§ 8-10). In other words, Douglass performs the steps of creating and providing a questionnaire for analyzing a predetermined property of the user, receiving the answers to the questionnaire, and

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analyzing the predetermined property of the user based on a predetermined analysis method by considering the answers. Douglass provides in detail the time management style associated with each of four identified time management personality types (¶¶ 18-37). Implicit to Douglass' analysis are the advantages and pitfalls that each individual is likely to face as part of a team, based on his/her respective time management personality type. Douglass does not provide explicit advice to each personality type for planning a particular event; however, Douglass addresses various personality types, including "Time Tarrier" or procrastinator (¶¶ 26-28). Gensing provides procrastinators with tips for conquering the bad habits associated with procrastinators in order to complete planned tasks on time. For example, Gensing recommends that procrastinators organize their tasks by priority and then complete the more important tasks before starting the less important ones (¶¶ 11-16). Another suggestion is that larger projects, or events, be broken down into smaller, more manageable tasks (¶¶ 17-19). The procrastinator's goal is to complete tasks/projects by their established deadlines (i.e., the procrastinator plans backward from the deadlines or initial conditions). Based on the fact that the individual has a tendency to procrastinate (i.e., a predetermined property of the user), recommendations are proffered regarding how to plan, or schedule, completion of the desired tasks/projects in a timely manner.

Gensing's article opens with the statement, "Procrastination is a problem that affects many supervisors and workers" (¶ 1). Gensing then proceeds to explain how workers and supervisors can take steps to conquer procrastination. Similarly, Douglass advises managers on how "to better understand their own selves and the team members" (¶ 1)

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through personality assessment of the team members; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to extend the teachings of Douglass to provide specific advice regarding initial conditions required for executing the planning on an event desired by a user and forming a schedule for the preparation and execution of the event based on the initial conditions and the analysis of the predetermined property of the user (as taught by Gensing and recited in claim 1) in order to assist teams of supervisors/managers and workers/team members in more efficiently and timely completing a planned project, especially in light of the varying time management personalities possessed by the various individuals involved. It should be noted that, since the recommended schedules are based on time management tendencies associated with each individual's personality, a plurality of patterns are classified as related to the predetermined property of the user and the scheduling is based on a plan linked to the recognized pattern (claim 2). Also, the user is supplied with and notified of the plan data/schedule since planning recommendations are provided to the user (claims 3 and 4). Since the planned/scheduled events occur during each individual's life, it is understood that the event is one of various events in life (claim 8). As per claims 12 and 13, Douglass' time management personality assessment of each individual assesses a character rating based on a character analysis of the user using answers to the questionnaire and the character analysis defines a level of tendency toward action of each individual.

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Regarding claims 5-7, Douglass does not explicitly disclose how needed resources for a project are reserved and/or obtained. Gensing acknowledges that the ability to readily obtain needed resources affects the setting of project deadlines (¶¶ 23-24); however, Gensing fails to provide any specific details regarding how such resources are reserved and/or obtained. Official Notice is taken that it is old and well-known in the art to reserve and/or purchase items, articles, or services needed to complete a project and provide payment thereof. As acknowledged by Gensing, the availability of necessary resources is crucial to setting feasible deadlines and Douglass too is directed toward completing projects in a timely manner; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at time of Applicant's invention to implement with the Douglass-Gensing combination the ability to reserve and/or purchase items, articles, or services needed to complete a project and provide payment thereof in order to facilitate quick and efficient planning of a project in its entirety, including assurance of the provision of all needed resources in a timely manner.

Furthermore, as per claims 1-8, 12, and 13, neither Douglass nor Gensing expressly teaches the use of automatic planning apparatus and components thereof (e.g., a questionnaire unit, an analysis unit, an input unit, a planning unit, storage unit, a management unit, etc.). However, Official Notice is taken that it is old and well-known in the art to automate well-known manual processes in order to complete the processes more quickly, efficiently, and accurately than if performed entirely by a human. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill

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in the art at the time of Applicant's invention to automate the steps discussed above through use of automatic planning apparatus and components thereof (e.g., a questionnaire unit, an analysis unit, an input unit, a planning unit, storage unit, a management unit, etc.) in order to facilitate completion of the processes more quickly, efficiently, and accurately than if performed entirely by a human.

[Claim 9] Claim 9 recites limitations already addressed by the rejection of claims 1-8, 12, and 13 above; therefore, the same rejection applies.

[Claims 10, 11] Claims 10 and 11 recite limitations already addressed by the rejection of claims 1-8, 12, and 13 above; therefore, the same rejection applies.

[Claims 14-17] Claims 14-17 recite limitations already addressed by the rejection of claims 1-8, 12, and 13 above; therefore, the same rejection applies.

Furthermore, as per claims 15 and 16, neither Douglass nor Gensing expressly teaches use of a neural network to perform assessment of the user's answers to yield a character rating. However, Official Notice is taken that it is old and well-known in the art to utilize neural networks to assess data and yield results mimicking human-based reasoning. Neural networks automate human-based reasoning and therefore can quickly and fairly accurately model and predict approximate results based on this same type of human-based reasoning. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to

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adapt the Douglass-Grensing combination to performs its assessment of the user's answers to yield a character rating through use of a neural network in order to quickly and fairly accurately model and predict approximate character analysis results based on the human-based reasoning disclosed by Douglass.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

or faxed to:

**(703)305-7687** [Official communications; including  
After Final communications labeled  
"Box AF"]

**(703)746-7048** [Informal/Draft communications, labeled  
"PROPOSED" or "DRAFT"]

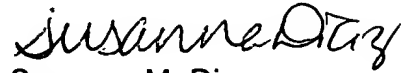


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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7<sup>th</sup> floor receptionist.



Susanna M. Diaz  
Primary Examiner  
Art Unit 3623  
July 6, 2004